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Sixteenth session

SUMMARY OF THE 323rd MEETING

Held at Headquarters, New York,
on Wednesday, 22 January 1997, at 10 a.m.

Chairperson: Ms. KHAN

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The meeting was called to order at 10:30 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (continued)

Introduction of the third periodic report of Venezuela (CEDAW/C/VEN/3)

1. At the invitation of the Chairperson, Ms. Martínez and Ms. Guzmán (Venezuela) took places at the Committee table.

2. Ms. MARTÍNEZ (Venezuela) said that the struggle for women's rights in Venezuela had been particularly long and arduous because the fruits of economic progress were so uneveny distributed. The current report (CEDAW/C/VEN/3), which covered the period from 1989 to 1995, summarized the progress made in protecting the rights of Venezuelan women during that period.

3. The economic dislocations of the "lost decade" had had a severe impact on women and had forced them to seek new channels of participation in society. Venezuela's report, which sought to describe the emergence of the phenomenon of women as new players in society, had been submitted to the Committee by the National Women's Council (CONAMU). Regrettably, the Committee's comments and requests for clarification thereon had been received only a few days before the current meeting, and the Government had therefore not had time to prepare appropriate responses to the questions raised. She hoped that in future the Committee would avoid placing States parties in the position of having to prepare responses to detailed questions in a few short days in order to accommodate the committee's programme of work.

4. By way of background information, she said that Venezuela's population of approximately 21 million had increased at an annual rate of 2.6 per cent, the highest in Latin America. Women accounted for 49.56 per cent of the population. Among the main objectives of the country's Ninth National Plan were to promote the social and economic integration of all Venezuelans, combat the phenomenon of exclusion and reduce poverty by redressing the inequalities which women still faced. The Plan emphasized the importance of the gender perspective to the maintenance of democracy. Inflation in the national economy had led to declining real wages and public-sector unemployment, which affected mainly women. despite those difficulties, women were increasingly becoming the primary means of support for their households.

5. During the period under review, a number of legislative measures had been taken in the areas of education, violence against women, employment and health care, with the aim of eliminating discrimination against women and promoting their advancement. Those measures included the reform of the Equal Opportunities for Women Act, the development of programmes to combat violence and criminal behaviour among school age children and the introduction of programmes outside the traditional institutions aimed at mitigating the "social cost of adjustment".

6. Despite those achievements, the view of poverty and, in particular, of the situation of women living in poverty remained incomplete. The country still lacked a comprehensive social policy directed at women and not merely in their

capacity as mothers or heads of households. There was also a disregard for aspects of training and the development of skills aimed at achieving higher literacy rates and standards of proficiency in non-traditional occupations. Finally, programmes were still lacking to develop women's self-esteem as a tool for their personal, job-related and social advancement.

7. Turning to the historical record of developments in the status of women in Venezuela, she noted that the first reform of the Civil Code had been introduced in 1942, under which women had been granted citizenship. Women had gained the right to vote in 1946, and the 1961 Constitution had established equality and greater opportunities for access to the educational system, thereby contributing to a steady increase in the participation of women in the decision-making process. In 1964, the first woman Minister of State had been appointed. Since then, the representation of women in other government posts, including the judiciary,had been increasing. Their advancement in the legislative branch and in the trade unions, however, had been slow.

8. Following the establishment in 1974 of the first Women's Advisory Commission to the office of the President women's involvement and advancement in high-level public affairs had made considerable headway. In 1984,the National Office for Women's Affairs had been created and, three years later, the Ministry of Youth had been transformed into the Ministry of the Family, and the Sectoral office for the Advancement of Women had been set up as the principal government agency responsible for developing programmes and projects aimed at increasing the effective participation of women in the socio-economic, cultural and political field and at promoting their social and political rights. A woman Minister for the Advancement of Women had been appointed in 1989 with the tasks of coordinating and implementing programmes designed to promote women's participation in all spheres.

9. Subsequently, in 1990, the Employment Organization Act had been passed, which had greatly improved the situation of women in employment. Based on a proposal by Venezuela, the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women had been adopted at the twenty-fourth regular session of the Organization of American States with a view to establishing an international legal instrument aimed at rectifying the serious situation of physical abuse, of which there were countless female victims in Latin America.

10. With regard to the domestic application of the articles of the Convention, the substantive law prevailing in Venezuela contained no discriminatory provisions against the exercise of political rights which prevented women from taking an active role in Government. The Constitution and the strengthening of the democratic system had made it possible to five expression to the principle of equality and liberty with regard to women's civil rights. In 1982, reforms had been introduced to the Civil Code based on the concept of equal family responsibilities and aimed at imbuing the family, as the basic unit of society, with a greater sense of economic, moral, social and legal solidarity. Articles 140, 137 and 160 of the Code provided for equality of spouses before the law in such areas as decisions relating to family life, rights and obligations, and marital property regimes.

11. Parents had equal authority over their children under the law. problems could arise where one spouse objected to exercise of such authority by the other, particularly in the case of identification at airports. However, either parent could travel with the children. The question was being considered further.

12. She drew attention to paragraphs 77 and 78 of the report, dealing with the Penal Code Reform Bill and the Sexual and Domestic Violence Bill.

13. Regarding special measures to achieve equality between men and women, the Employment Organization Act had laid down new provisions for the protection of maternity. Specifically, women had increased leave, and security of job tenure for a year. fathers also had the right to a few days absence from work in connection with the birth of their children. adoptive mothers enjoyed the same rights as biological mothers.

14. Stereotypes were perpetuated by the family, schools and the media. The National Women's Council (CONAMU) was currently reviewing textbooks with a view to countering sexual stereotyping. CONAMU was also supporting a campaign on national education for equality.

15. There were no legal obstacles to women's involvement in political life, and women were playing a greater role in political parties. Affirmative action was being introduced to required parties to establish quotas. Women's participation in legislative assemblies had fallen, however, as indicated in paragraph 118 of the report.

16. The CHAIRPERSON invited the representative of Venezuela to respond to specific comments and questions by members of the Committee (CEDAW/C/1997/CRP.1/Add.5) and appealed to her to be brief and specific.

17. Ms. MARTÍNEZ (Venezuela), responding to comments and questions by embers of the Committee, said that cases of ill-treatment of migrant and indigenous men and women in border areas were dealt with through the normal court system. There was no special mechanism to protect the right of migrant and indigenous women to maintain their cultural traditions.

18. The change, under the Equal Opportunities for Women Act, from a Ministry Women's Affairs to an Independent Women's Institute had not been in any way prejudicial. The Institute enjoyed legal autonomy.

19. The CONAMU advisory commissions supported initiatives by governmental and non-governmental organizations to improve women's health in connection with pregnancy as well as sexually transmitted and other diseases. The commissions also promoted inclusion of a gender component in education, and monitoring of the implementation of the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women. CONAMU participated in the "commitment to life" programme aimed at establishing national health policies and goals, in collaboration with governmental and non-governmental organizations and international agencies.

20. With regard to women and education, CONAMU, under the "Education for equality" programme, had convened conferences to raise awareness of the lack of

equality for women and to promote changes in textbooks and curricula so as to eliminate stereotypes. Literacy and sexual education programmes had also been conducted.

21. In connection with women and economic activity, CONAMU had worked with various advisory commissions on forums and seminars to combat poverty, provide indigenous women with access to credit and training, analyse legislative protection for working women, provide training for teenage mothers in productive work and improve women's access to trade union leadership.

22. CONAMU was dedicated to developing a policy of social equality. That presupposed equality in the legal, political, economic, cultural, social and personal domains. Under that policy the social debt owed to women was to be repaid; relations between men and women were to be based on solidarity, cooperation and complementarity; the gender perspective was to be integrated at all levels;women were to be given greater opportunity in all areas; unpaid domestic work was to be taken into account; health, education, employment, housing, social security, cultural and legal aid programmes were to be undertaken for women; and an institutional framework to promote such policies was to be developed.

23. Ms. GUZMÁN (Venezuela), responding to comments and questions by members of the Committee, said that the objectives of the Independent Women's institute, pursuant to the Equal Opportunities for Women Act, comprised policy planning, coordination and implementation; formulation of legislation to promote women's rights; establishment of databases; provision of legal and other services and advice; public and private sector coordination; and provision of funding for programme implementation. Pursuant to the Act a national office for the Defence of Women's Rights would ensure compliance with national and international norms; propose reforms; guarantee the rights of the most vulnerable women; process complaints of violations; represent women in legal and other forums; and focus on the rights of working women.

24. Neither body had yet been established because of constitutional and legal difficulties, owing to inconsistencies between the Act and other legislative provisions.

25. Assessment of the impact of CONAMU and other government programmes was difficult, although there was some movement in various areas of concern to the advancement of women. CONAMU had concluded agreements on various forms and workshops with a number of international agencies from 1994 onwards, and further activities were planned for 1997.

26. With regard to paragraphs 83 and 86 of the report, the breaks accorded to nursing mothers were given, but no distinction was made between women living close by or far from the place of work. The provisions relating to establishment of day nurseries were also complied with.

27. The network set up by CONAMU to combat sexual and domestic violence had received assistance from governmental and non-governmental organization to implement several projects. It was financed in accordance with its statutes, with additional help from the private sector, but most of the funding had been provided by CONAMU, which also provided technical assistance and office space.

It was a national network, with regional and local branches;it was functioning effectively in the capital, but the regional sub-networks were still being set-up. The Sexual and Domestic Violence Bill mentioned in paragraph 108 had not yet become law, but was likely to do so soon since it was the object of a political consensus.

28. The continuing efforts of CONAMU to eradicate sexual stereotypes included measures to eliminate sexism in textbooks, changes in teaching methods, and sensitizing and training for teaching staff. meetings had been organized to help to dissuade the media from presenting distorted images of women.

29. Statistics showed that violence against women had increased; the complaints procedure had been simplified, and as a result the problem had become more visible. A study commissioned by CONAMU had been carried out in 1994 by the Central University of Venezuela, and some non-governmental organizations ad carried out local studies. Support for women victims of violence included immediate attention to complaints, as well as psychological, legal and, where needed, medical help. Counselling and rehabilitation were included in the medical and psychological services. The process of creating special tribunals provided for by the 1994 legislation had been slow, and very few judges were available at the national level. CONAMU had organized gender-sensitivity workshops for law enforcement officers and judges.

30. Socio-cultural attitudes that perpetuated violence against women were reflected in outdated provisions of criminal law that were out of step with the current reality of women's lives. CONAMU was running a permanent nationwide anti-violence campaign, with workshops, forums, conferences and printed materials. The only training provided to health-care professionals to help with identifying victims of domestic violence was that which was included in gender-sensitivity workshops. CONAMU was currently promoting the provision of shelters for battered women, and had asked for help from the national network to combat sexual and domestic violence. Abortion was illegal in Venezuela and was therefore not available to victims of rape and incest. Help for victims of violence was provided in urban and rural areas, without discrimination, through whatever facilities were available locally.

31. Penalties for the perpetrators, including imprisonment, were laid down in the Penal Code and were determined according to the seriousness of the offence; their effectiveness depended on the extent to which the victims reported the offences. The most severe sentence provided for was a maximum of 30 years' imprisonment for murder of a spouse. Those receiving complaints had become more sensitive thanks to workshops, directives and police training. CONAMU had made continuous efforts to make the media aware of the need to eradicate violence; the media had reacted by giving supportive coverage to the submission of the Sexual and Domestic Violence Bill to the National Congress.

32. The assertion that prostitution constituted a public health risk was justified by the promiscuity involved, which in turn led to the proliferation of sexually transmitted diseases. It was not known whether more women were working in the sex industry as a result of the structural adjustment programme. Trafficking in women and sexual exploitation took the form of deceptive advertisements, which purported to offer extremely advantageous terms of

employment; measures to combat the phenomenon were oriented towards penalizing the deception involved.

33. There were no rehabilitation programmes for women engaged in prostitution; such behaviour was defined as an offence and was dealt with by the ordinary courts of law. Existing training and education programmes were available to prostitutes, but none were provided specifically for them. No information was available on any new projects or programmes, apart from the proposed reform of the Penal Code whereby the outdated classification of "offences against morality and family probity" would be amended to "offences against the person".

34. Women made up 6.6 per cent of the membership of the Chamber of Deputies, 6.2 per cent of the Senate, and 12.6 per cent of the legislative assemblies. The electoral system provided for representation of minority parties, but the system did not make special provision for representation of women, since they were not considered to be a "minority".

35. CONAMU had implemented programmes to promote more active participation of women in decision-making roles, providing them with the necessary training and support so that they could become real agents of change and ensure women's access to influential positions in future. For example, a workshop had been held in 1995 to prepare women candidates for the upcoming municipal elections, and a "Women in local government" programme had been organized in 1996. Women made up about 50 per cent of the grass-roots membership of political parties.

36. Historically, women had been excluded from social and political structures and had been relegated for many years to a domestic role, contributing their work to the family without any reward or social recognition. That had been the main "serious restriction" to their access to power.

37. As to women's participation in the international field, 449 women were currently serving in the diplomatic service, compared to 913 men. There were 33 women ambassadors out of a total of 139. Out of a total of 89 Venezuelan diplomatic missions in foreign countries, 11 were headed by women. As a result of government measures to encourage women to pursue careers in the foreign service, a consideration number had chosen international studies as their career option since the 1960s.

38. The statement in paragraph 154 of the report that female professional and technical workers fell predominantly within the public-sector employee and worker group had been badly worded. The reality of the situation was that despite efforts to sustain economic activity, public-sector employment had tended to decline, which affected women more than men owing to their traditionally strong representation in that sector, particularly in professional, technical and managerial posts.

39. With reference to paragraph 134, foreigners wishing to acquire Venezuelan nationality had to go through the required formalities to obtain naturalization, although if the applicant had been born in Spain or Latin America special facilities were provided. As for article 37 of the Constitution, it was intended as a positive measure in favour of foreign women marrying Venezuelan men, the object being to save them from having to go through the usual

formalities to obtain naturalization. The Constitution dated from the year 1961, and there had been no amendments to that provision.

40. Referring to the question as to whether there was any specific programme for eradicating illiteracy among women, she said that such programmes were intended equally for women and men. As for the increase in the number of girls enrolled in the seventh to ninth grades of elementary school, there had been a change in the approach used by poor families for economic survival; since there was a need to have more family members generating income, young men left school and went out to work, whereas girls, although their household tasks did not decrease, stayed longer in the school system. No gender-disaggregated statistics were available for school dropout rates for girls and boys. As for school dropouts due to teenage pregnancies, the statistics were expected to improve as a result of the implementation of a decree issued in October 1996 to enable pregnant teenage girls to continue their studies. No concrete information was available regarding the socio-economic background of the young women concerned.

41. Official statistics showed that women made up 33.37 per cent of the wage-earning workforce in 1996. The greatest number of women workers was in the service industries sector; they received low wages, and social security coverage was inadequate unless benefits were provided through the trade unions. According to figures from the Central University of Venezuela, 30 per cent of the workforce belonged to trade unions, and 12 percent of women were members of unions. The level of unionization in areas of the labour market dominated by women, mainly the textile and food industries and the civil service, was 80 per cent. The numbers of women in high-level positions in trade unions had increased considerably.

42. Measures had been introduced to address sexual harassment and violence against women in the workplace, as a result of the campaigning by CONAMU and other bodies. The Sexual and Domestic Violence Bill currently before Congress provided for penalties for sexual harassment in the workplace and in other institutionalized contexts; penalties were laid down both for the culprit and for the employers who failed to prevent such incidents. Advisory services and legal help for the victims was available through the Ministry of Labour.

43. Ms. MARTÍNEZ (Venezuela) said that the 1992 Decree concerning child-care facilities provided for the establishment, maintenance and financing of those facilities, which in some cases were jointly funded by a number of employers. Caring for children at home could also be financed. The cost of the programme could not be given in global terms, since it depended on the number of children whose care had to be paid for by each employer and on the amount paid for the type of service provided. The amount to be paid for each child attending a facility could not exceed 38 per cent of the national minimum wage.

44. Figures were not available concerning the cost of the programme for the national and State authorities and local authorities. The employer's main obligation was to finance the service for the children of his or her employees, provided that the employee's monthly earnings did not exceed 45,000 bolívares per month. Very few child-care facilities had been opened, since many employers were unable to set up their own facilities and had therefore complied with their legal obligations by financing children's attendance at other facilities. Most

employers fell within the category of enterprises having between 20 and 50 employees. The availability of such facilities had made it easier for women to join the workforce, and the percentage of women in gainful employment had increased from 36.5 per cent in 1994 to 41.3 per cent in 1995. Employers' compliance with obligations in respect of child-care facilities was monitored by inspectors from the Ministry of Labour, and the quality of services provided was monitored by several different public bodies and government departments according to the type of facility concerned.

45. A programme was currently being prepared with a view to training women for employment in non-traditional occupations; there was also a training programme on the legal rights of women, including their rights in respect of employment. Legally, there were no barriers preventing women from occupying administrative and managerial posts. Venezuelan women were gaining ground in that traditionally male-dominated area. In the private sector, women were still paid less than men because of traditional ideas about women being inferior to men in terms of ability. Equal pay was provided for in employment legislation, which expressly prohibited discrimination on grounds of age, sex, race or creed. The only corrective measures were those provided for in that legislation.

46. The percentage of gross domestic product spent on health had been 2.86 per cent in 1992, 2.56 per cent in 1993, 2.06 per cent in 1994 and 1.89 per cent in 1995. Public expenditure on health had ben 4.73 per cent of the total Government budget for 1996, which represented a drop of 2.3 per cent compared with 1995. No figures were available as to the percentage of total health resources allocated to reproductive and sexual health services or to reducing maternal mortality rates. Programmes to reduce maternal mortality did exist, however. Emergency maternity services were available; 95 per cent of births took place in an institutional setting.

47. Some primary-care facilities, including some in indigenous areas, offered reproductive health-care services such as family planning. Cervical cancer and breast cancer were the most serious health problems for women. There was a national policy for the protection of women's rights to health and health care.

48. Government efforts to mitigate the social cost of adjustment, especially as regarded the special system of medical care and food provision for pregnant women and nursing mothers had been adversely affected by political upheavals in the early 1990s, but an economic restructuring programme had been launched in 1994 that included a series of measures to counter the negative effects of the required adjustments. The Maternal and Child Care Programme dealt with medical care and food provision for pregnant women and nursing mothers, but the allocation of multivitamins and ferrous sulphate to pregnant women had been eliminated. No distinction was made between budget allocations for health in general and those for women's health in particular, with the sole exception of those for maternal and child health.

49. The technical cooperation agreement with the Pan American Health Organization (PAHO) was concluded in 1986 and basically comprised the mobilization of resources within and among countries, dissemination of technical and scientific information, training of staff, formulation of guidelines, plans and national policies, pursuit of investigations and provision of grants, courses, seminars and consultant services. Women's reproductive health was seen

as an integral part of general reproductive health and was not limited to maternal and child care and family planning, in the context of the decentralization of health services.

50. Statistics on human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS) cases were not broken down by occupation. The number of cases among prostitutes was unknown because prostitutes did not register as such; rather, they were included in the total figure for female cases. Between 1982 and 1996, 5,250 men and 1,049 women had been infected with HIV/AIDS, for a total of 6,299 cases. The Ministry of Health was developing programmes to train outreach workers, who would carry out educational activities on preventing sexually-transmitted diseases (STDs) and HIV/AIDS at the community level. There were also national campaigns and training courses for specific groups such as social workers, teachers, psychologists, students and others, radio and television programmes and press articles and a quarterly magazine on HIV/AIDS. There was a programme to teach methods of protection from and prevention of HIV/AIDS for sex workers, and 128 venereal-disease treatment facilities provided services for 313,777 prostitutes.

51. With regard to continuing structural inequalities in women's access to health that affected the poorest sectors of the population in particular, she said that the Venezuelan health system provided equal rights and opportunities for free medical care to the entire population. Obstacles to comprehensive case were toed to economic problems that hindered the provision of adequate or necessary supplies o health-care facilities. As a remedy to that situation, STD/AIDS programmes were being carried out throughout the country. An analysis was being conducted of the needs for all services provided by health-care professionals, and a series f measures was being taken to improve hospital conditions and to ensure the timely and adequate provision of the supplies needed.

52. Over the previous four years, the maternal mortality rate had grown slowly from 6.3 to 6.8 per 10,000 live births. An increase in poverty, budgetary and trade-unions problems in hospitals, nd massive, uncontrolled immigration had contributed to the rise in that rate. No disaggregated information was available for the four federal States.

53. Campaigns promoting the use of contraceptives by men had been undertaken in the media and at health centres, along with mass condom distribution and health education programmes. Women had access to free pre- and post-natal medical care in maternal and child health centres and at State clinics. Women with complications from attempted abortions had access to hospital care, which was generally free of charge.

54. The Government had promoted the shared responsibility for contraceptive use, but had done so only at the level of information campaigns. Family planning measures had been adopted as part of the reproductive health services already described. Family planning offices were located in State clinics readily accessible to the general population. More such offices were needed as a result of an increase in the need for birth control. Although, under current law, teenagers had only limited access to family planning offices, they did have access to contraceptives through non-governmental organizations. Only 14.8 per cent of women aged 15 to 19 years used contraceptives because of legal

restrictions and because of ignorance of the importance and advantages of contraception.

55. Information on family-planning techniques was disseminated publicly and privately to adolescents age 15 to 19 at educational institutions and through the media. Sexual education and information programmes existed for adolescents and were financed under the relevant articles of the government budget; there were also some non-governmental sources of financing. The family planning offices of the Ministry of Health and Social Welfare provided services including promotion, prevention and care. Abortion was not legally available except to save the mother's life, and legal abortion was not covered under any national insurance scheme. The Penal Code had not been reviewed with regard to punitive measures against mother in cases of abortion. No specific measures had been adopted to implement the Programme of Action of the International Conference on Population and Development, or the Platform for Action of the Fourth World Conference on Women, with regard to the right of women and girl-children to control their own reproductive activity.

56. The capacity and quality of the medical care provided by family planning services had diminished as a result of the structural adjustment programme. The shortage of contraceptives, owing to budgetary limitations, was being mitigated through the activities of non-governmental organizations. Ignorance and carelessness were important factors in the low rates of contraceptive use. There was no gender discrimination regarding education for responsible parenting aimed at adolescents. Except for surgical cases, women generally did not require prior permission from their husbands to obtain family planning services.

57. Between 1982 and 1996, there had been 5,706 male cases of HIV/AIDS, including 3,383 deaths, and 593 female cases of HIV/AIDS, including 329 deaths. The primary cause of death among women was cardiovascular disease. All health-care institutions provided early detection services for cervical cancer (the papanicolaou test) and for breast cancer. Such services were available to all women needing them.

58. The Maternal and Child Centres provided a variety of services, many of which were used by women who were not mothers. Such women were never marginalized and could also avail themselves of the services of the rest of the Venezuelan network of hospitals and clinics.

59. In 1996, 27.4 per cent of rural women were illiterate. Through the National Literacy Commission, the Ministry of Education's Office of Adult Education was coordinating the elementary, functional and training-level literacy programmes being carried out by State agencies and non-governmental organizations in the rural sector. With the exception of an experimental programme carried out in two Venezuelan States in 1989 and 1990, rural working women did not have easy access to social welfare programmes. They could receive assistance from the Ministry of Health and Welfare for tropical diseases and birth control through rural clinics and dispensaries, but had no recourse to the hospitalization and specialized treatment services available in the urban sector.

60. The indigenous women of Venezuela performed a variety of tasks in their communities related to planting, harvesting and processing agricultural

products, but were not generally employed in sectoral businesses or industries, with the exception of a few indigenous livestock operations which did include women. In other sectors, women were very poorly represented in governmental and trade-union bodies and grass-roots and non-governmental organizations. The exact percentage of indigenous women in decision-making positions in farm management was unknown, but they were indeed represented in the National Agrarian Law office, an organization providing legal support to indigenous peoples and communities.

61. No information was available regarding rural households headed by women. Statistical table 11 in the Venezuelan report showed the total number of households headed by women. Basically, those eligible to receive a rural dwelling were established family groups with incomes sufficient to meet the requirements of the programme. No information was available on the women who had been denied such dwellings. There was no discrimination against women in that process.

62. Married couples were not entitled to choose which spouse took advantage of parental leave because, under Venezuelan law, such leave was granted to the mother on the birth of a child. That practice was established under the Basic Labour Law and collective contracts.

63. With regard to protection of maternal custody of children in the case of divorce, parental authority was shared by both spouse at all times. Custody in such cases was awarded to the parent who could guarantee the best conditions for the physical and emotional development of the child; mothers could not be denied custody of children below the age of seven unless the gravity of the particular circumstances dictated otherwise. Moreover, the mother was free to travel inside and outside the country with her children. With regard to the division of jointly owned property, such joint ownership ended with the final cree of divorce, and the property had to be divided in half. Neither spouse could take action to advertise real estate or other property for sale without the authorization of the other.

64. Ms. ESTRADA CASTILLO expressed regret at the lack of specific responses to the concerns of the Committee. In view of the serious economic and social conditions reflected in the report, it appeared that Venezuela had actually taken a step backward in terms of follow-up to the Convention since 1992. The current report indicated that the recommendations of the Committee had not been followed; reforms to the Penal Code proposed in 1985 had yet to be enacted; and the Nationality Law continued to contravene the Convention. The report contained much high-flown theorizing about programmes for women but little evidence of the application of such programmes at the grass-roots level.

65. She was particularly troubled by the poor representation of women at high levels of Government, and requested confirmation of the ministerial-level status of the National Women's Council, which appeared to lack any real power to carry out its programmes and proposals.

66. The report had also failed to substantively address the Committee's specific concerns about punishment for abuses by law enforcement officers, as corruption and ineffective administration of justice harmed the social order and family relationships, particularly in regard to women. Finally, she hoped that

future reports would reflect greater progress in the Government's efforts to comply with the Convention.

67. Ms. FERRER-GÓMEZ also expressed regret that the report contained little information regarding the results at the national level of legislation adopted and plans and proposals submitted by the National Women's Council. She had been disturbed by the deteriorating economic and social conditions resulting from the Government's structural adjustment policies and wished to know if the National Women's Council intended to develop specific programmes for the women who made up such a large percentage of the population living in poverty. She also inquired as to whether a gender perspective had been applied in the formulation of existing Government programmes to combat poverty, or if it had been possible to begin implementation of some of the poverty-eradication strategies promulgated in the Programme for Action of the Fourth World Conference on Women. She inquired as to the forms and extent of Government assistance to households in poverty, most of which were headed by women, and whether the Government intended to adopt a national plan to comply with the commitments it undertook at the Fourth World Conference on Women. She also asked for clarification of the status of the Independent Women's Institute and the nature of its relationship to the National Women's Council.

The meeting rose at 12.55 p.m.